

## REMARKS

Reconsideration of the present application is respectfully requested. No amendments have been made or are believed to be necessary.

### Claim Rejections

#### 35 U.S.C. § 102(e) Rejections

Claims 1, 13, 20, 30, and 37 stand rejected under 35 U.S.C. § 102(e) based on U.S. Patent Publication 2002/0087316, Lee et al. ("Lee"). Applicant respectfully traverses the rejections.

First, Applicant notes that the filing date of the present application is February 7, 2001; while Lee purportedly relies on an effective filing date of Dec. 29, 2000. Applicant reserves the right to swear behind this reference, if necessary.

Furthermore, the Examiner has not even shown that Lee is entitled to the benefit of the Dec. 29, 2000 filing date of the provisional application. If Lee is not entitled to the benefit of that date, then it is not effective as prior art against the present application (since it would only be effective as prior art as of its May 23, 2001 filing date).

Therefore, if the Examiner intends to maintain this rejection despite the following remarks, the Examiner must show that Lee is entitled to the benefit of the Dec. 29, 2000 filing date of the provisional application, in addition to rebutting Applicant's remarks which follow.

The present invention pertains to speech-responsive call routing and information retrieval systems, which use output of an automatic speech recognizer (the n-best hypotheses, for example) to generate a query for a call routing or information retrieval.

The query includes values representing at least two hypotheses of the n-best hypotheses.

Claim 1 recites:

1. A method of identifying one or more items from amongst a plurality of items in response to a spoken utterance, the method comprising:  
using an automatic speech recognizer to recognize the utterance,  
including generating a plurality of hypotheses for the utterance; and  
generating a **query element based on the utterance, for use in identifying one or more items from amongst the plurality of items, such that the query element includes values representing two or more hypotheses of the plurality of hypotheses.**  
(Emphasis added).

The emphasized language above recites generating a query element including values representing two or more hypotheses generated by an automatic speech recognizer in recognizing a spoken utterance. Lee, however, does not teach or suggest this. Lee's grammar based speech understanding system 30 uses the n-best hypotheses 36 generated by a speech recognition engine 34 as an input for an understanding module 38, which analyzes the hypotheses one by one to determine how likely the hypothesis is the correct recognition of the user speech input. This is shown by the language in Lee that "[t]he more closely a hypothesis resembles one or more of the expected syntactic and semantic structures, the more likely the hypothesis is the correct recognition of the user speech input" (p. 2, para. 19). Lee discloses that only one hypothesis is used to generate a request (Figure 1; p. 1, para. 14; p. 2, paragraphs 19, 21).

This is further shown by the example illustrated in p. 2, para. 21 of Lee, where the understanding module 38 first determines the grammatical structure that best fits the hypothesis "give me hottest golf book from Amazon". Then it determines the most

probable meaning of the term hottest within the overall context. After determining that the meaning of the hypothesis is to search popular golf book, Lee generates a corresponding request (Figure 4: 80, the induced actions). Therefore, the request is generated based solely on the hypothesis “give me hottest golf book from Amazon”, and the request just represents a single hypothesis, instead of two or more. There is no indication or suggestion in Lee that a query or request may be generated based on two or more hypotheses, in contrast with claim 1. Therefore, claim 1 is not anticipated by Lee.

The claimed invention also is not obvious in view of Lee, since Lee’s purpose is to solve the problem of understanding a user’s spoken utterance, which is completely different from the purpose of the present invention, which is to improve a query in speech-responsive call routing or information retrieval. Therefore, Lee does not teach or suggest generating a query element including values representing two or more hypotheses from a plurality of hypotheses generated by an automatic speech recognizer. At least for the foregoing reasons, claim 1 and all claims which depend on it are patentable over Lee.

Independent claims 13, 20, 30, and 37 include limitations substantially similar to those discussed above in claim 1 and, therefore, are also patentable along with their dependent claims for similar reasons.

### Dependent Claims

In view of the above remarks, a specific discussion of the dependent claims is considered to be unnecessary. Therefore, Applicants’ silence regarding any dependent

claim is not to be interpreted as agreement with, or acquiescence to, the rejection of such claim or as waiving any argument regarding that claim.

Conclusion


For the foregoing reasons, the present application is believed to be in condition for allowance, and such action is earnestly requested.

If any additional fee is required, please charge Deposit Account No. 02-2666.

Respectfully submitted,  
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8/24/04

  
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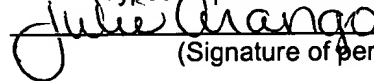
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